indeed, a grain of personal feeling in the contest. He had been formerly an assistant to Mr. Erwin, the Prosecutor for the Pleas. This was the first time he had been pitted against his old associate.

While the exchanges between them during the trial parely got beyond the realms of of courtest, yot it was evident and was commented upon that the battle between them was to the finish. Mr. Van While looked even gloomier, therefore, and indeed almost as pale as Barker himself.

EFFECT ON BARKER.

But it was plain enough that Barker, too, was very hard hit. Ever since the shooting he has been surrounded by those who have applauded his act, have said that all men eventually would applaud it and that for jury could be found that would convict him. He had yet to learn that there is in the plaining showed as the trail proceeded thoward its close and the full import of his act as to the issue. He was much less confident in bearing on Thursday than he was on Wadnesday, and much less confident in bearing on Thursday than he was on Wadnesday, and much less confident in bearing on Thursday than he was on Wadnesday, and much less confident in bearing on Thursday than he was on Wadnesday, and much less confident in bearing on Thursday than he was on Wadnesday, and much less confident on Wadnesday, and much less confident on Wadnesday, and much less confident in bearing to the world the was a struct. He was the latter of the world the world the world that we was the high world the world that we was the high world the world that when the world that we was the high world that would be required to have given way to a very decided and very the high world the world that we was the high world that we want to be world to the world that was high latter of the world that was been for the world that we was a seal was the world to the world that was been for the world that was

dissemination in typewritten form of what purported to be Mrs. Barker's sworn version of the alleged outrage.

This' typewritten story, or such portions of it as were printable was published in the newspapers that afternoon and the following morning and Mr. Van Winklo of counsel for the defence, in a written statement induced it as in the main correct. Now that the trial was over and there could no longer be any impropriety in his doing so, Mr. Keller was asked if he wished to make any statement, regarding Mrs. Barker's story. The inquity was sent to him in the Prosecutor's private office and in a few moments Archdeacon Bryan and the Rev. A. Richey came out with the answer written on a sheet of pote paper. It was as follows:

"To the Press: I learn of the publication in several papers of the statement of Mrs. Barker of an alleged outrage by me upon her. It is false. I never outraged or attempted to outrage Mrs. Barker. I now understand the rules of evidence, however, would not permit my denial under oath in the trial just concluded.

The entire morning session of the court

America had ever brought a man in guilty ho had killed the person who had poliuted e sanctity of his home.

the sanctity of his home.

He cited the Sickles case and the Coles case and he asked the jurymen if they wisked to win the distinction of being the first jury in the United States which had brought in a verdict of guilty in such a case. Assuming Mrs. Barker's story of the alleged outrage to be literally true, or assuming it to be unrue, Mr. Am Winkle argued, the defendant believed it to be a fact and acted as a man with the feelings of a man would act under those circumstances.

as a man with the feelings of a man would act under those circumstances.

"I represent," he said in the beginning of his speech, and speak for, the State of New Jersey, its strong men and its pure women; its law and its order. It is a novel situation for me to be on the side of the defence; heretefore I generally have appeared for the prosecution. Yet in this case I approach its conclusion with an absolute confidence in the justice of my cause. In this case I find myself again in somewhat the position of a presecutor. The evidence here discloses an outrage of an undefined nature on the part of Mr. Keller to this women. Every one knows what an outrage is. You know what it is. Under the word outrage you have the right to conjure up the lowest and blackest crime imaginable. You have the right to do this.
"We offered to bring the evidence touching this outrage into court. The prosecution represented is with objections. Mr. Keller

"We offered to bring the evidence touching this outrage into court. The prosecution prevented us with objections. Mr. Kelier sat by the side of counsel for the State. With a whispered word he could have directed the Prosecutor to admit that evidence that might refute it. He did not say the word Why did he not? That is a question, gentlemen, which you will consider. As long as that outrage remains undenied do not convict this man ipointing to Mr. Barker helieved that the shooting of Mr. Keller was the right thing to do, and the law says it was the wrong thing to do, then Mr. Barker was incapable of judging between right and wrong. Mr.

Barker, has not been allowed to tell his reasons for believing that the story of the outrage sons? Any man would do what he did under like circumstances. You know that, you know also that the man who commits the state of the commits of the c

the was quitted with a series of the was a selected or the support the lawyers had called and consided with him and then was accurated to White had he was a selected to was the support of the suppo

to the second of the whole of the second of the second of the second of the whole of the second of t

band to tell it. But this woman kept ner accret for nearly two years, kept it till it became fishy."

At the point where Mr. Erwin referred to Mrs. Barker's tarrly confession of the alleged assault and particularly where he said that no true woman would have acted as she had done. Mr Barker started forward, his eves blazing with anger and his hands clasping the arms of the chair on which he att as though he were about to spring forward and assault the Prosecutor then and there. The Prosecutor himself cought a glimpse of the motion out of the corner of his eye but gave no sign of having noticed it. In anticipation of some violent outbreak on the part of a man of Mr. Barker's excitable temperament there were court officed in the part of a man of Mr. Barker's selected him instantly if he even started to his feet.

Promptly on the opening of court for the afternoon session at 1 o'clo'k Judge Blair becan his charge, parts of which are as follows:

"In your investigation you will be guided by the law which the Court will give you, by the facts as you have heard them from the months of witnesses, and by such circumstances connected with the alleged crime as have been established by proof You are have been established by proof You are have been established by groof You are have been established solved solved as a proportion of the control of the formation of the control of the formation have been established solved as a proportion of the control of the formation of the control of the fo

becan list charge, parts of which are as follows:

"In your investigation you will be guided by the law which the Court will give you, by the facts as you have heard them from the mouths of witnesses, and by such circumstances connected with the alleged crime as have been established by proof You are to act without prejudice, without nassion and without sympathy, and be guided solely by your caths, to return a verdict according to the evidence.

"The crime charged is that of an assault with intent to kill. It come are according to the evidence.

"The crime charged is that of an assault with intent to kill. It come are of the accused."

After discussing the evidence in the case at length and reading coplous extracts from the stenographer's notes of the testimony, Judge Blair took up the question of insanity, in the course of which he said:

In your investigation you will be guided by the day the day of the fact that street, with a secondly of the accused."

The crime charged is that of an assault to the accused."

After discussing the evidence in the case at length and reading coplous extracts from the stenographer's notes of the testimony, Judge Blair took up the question of insanity, to be success.

The defence of insanity, to be success
"The defence of insanity, to be success
the mind of the accused was at the time of the mind of the accused was at the time of the mind of the accused was at the time of the commission of the criminal act so im-

doubt in your minds, you should find the defendant guilty as charged in the indictment."

No effort was made last night to secure the release of Basker from jail on \$10,000 bail. This is twice the amount which was imposed to insure his appearance in court for trial.

"A conference of Barker's friends," said Mr. Van Winkle," will be held in a couple of days, when the question of an appeal will be determined. Barker will not be sentenced before next Thursday and I am sure that the Court will grant us further time if we request it before calling him to the bar."

Warden Terence Sullivan of the Hudson county jail, said last night that Barker was in excellent spirits. He had been placed, in cell 2, on the ground floor. Barker refused to talk to reporters, but he made this statement to the warden:

"They have convicted me, but I feel sure that the upper courts will reverse the verdict on appeal. I am going to have a talk with my counsel, Mr. Van Winkle to-morrow and expect that my friends will furnish bail for my release on Monday. My wife has stood by me nobly and I have the utmost confidence in her."

#### SAYS THURBER ASSETS WERE HID. Lawrer Aplington Angry Over Charge Made by Bank of the Republic.

In order to recover on a judgment fo the National Bank of the Republic moved before Surrogate Thomas yesterday for bill to discover assets of the Thurber estate by the examination of Henry Aplington, who had been counsel of Thurber for fifteen Thurber, who was in the wholesale grocery

business here, became greatly involved sev eral years ago. His liabilities were computed at about half a million dollars. He sold out a great amount of property to pay Isaac Lilly White of Leeds, who the prisoner | reoff all the creditors he could. He moved to Hailey, Idaho, to reside permanently and there he died in 1899. The National Bank of the Republic obtained its judgment last January and began its present hunt to find out what became of securities of the Texas and Pacific Coal Company, which, it Texas and Pacific Coal Company, which, it was alleged, Thurber had bought and Mr. Aplington had concealed from W. Russell Osborn, administrator of the estate of Thurber. Thurber and John Jay Knox, then President of the National Bank of the Republic, in 1899 purchased on their joint account \$100,000 in face value of these bonds for \$85,000. The bank had loaned Thurber, it was alleged, money for his share in the transaction. Stock was given afterward in exchange for the bonds. The securities have greatly appreciated in value. The share of Thurber, as alleged, was put in the name of George B. Howard, a nephew of Thurber, and it stood in Howard's name for several years. Dividends on the stock have been paid since 1893.

George S. Hastings in behalf of the bank said that these securities were transferred subsequently to Aplington who last October sold some or all of them for \$98.714. Plaintiff contends that this money belonged to the estate of Thurber and should be applied on the judgment through Thurber's administrator. The wife of Aplington is a nicee of Mr. Thurber. An affidavit of Nancy Thurber, wife of the deceased, was presented in which she said that the securities had been purchased with her money and that Mr. Aplington had held them for her under a power of attorney from her. After Mr. Hastings had made his motion, Mr. Aplington in passionate tones said:

"I am charged by this person with having converted, yes, stolen, \$97,000 worth of property. The wording of the affidavit is blain and I demand the right to answer while the opportunity presents itself. This attack upon me is an outrage and in the presence of my boy, who sits over there. I want to be heard. The stock in question belongs to Mrs. Thurber, was bought by her and paid for by her in full. Mr. Thurber died owing much money. He sold over a million dollars' worth of property and paid the proceeds to his creditors. I sold the securities referred to and turned the proceeds over to Mrs. Thurber."

Mrs. Thurber is an invalid at the Thurber residence in was alleged. Thurber had bought and Mr

Mrs. Thurber is an invalid at the Thurber residence in Idaho. The Court reserved decision.

#### JEALOUS HUSBAND'S CRIME. Shoots and Kills His Wife, Who Had Left Him After a Quarrel.

GLENS FALLS, N. Y., June 21 .- Jealousy was the motive which prompted the murder last evening of Alma Eliza Middleten by her husband, George D. Middleton, at Pottersville, a small hamlet near Schroon Lake, thirty-three

## WHO RULES IN PEKIN?

HINBSE RELD RESPONSIBLE. BUT DE PRIVED OF POWER

salous Situation Due to Non-Arrival of Tuan Shih Kai's Soldiers, Who Are Held Up by the French -Prince Chun to Return at Once to China After Visiting Germany. Special Cable Despatch to THE SUN.

From THE SUN Correspondent at Pekin.
PREIN, June 21.—The Chinese authorities Pekin feel the awkwardness of the relathons in the metter of Chinese and foreign control of the various sections of the city. Mefore his departure Field Marshal Coun von Waldersee wave them to understand that the Administration of the city would be transferred to the local officials on the ar-

Province of Shantung. The Chinese offi-

cials, accordingly, made arrangements to

resume control by the end of June.

Now the Ministers, acting at the request of the foreign commanders, have decided that Yuan Shih Kai's soldiers, who have been held up by the French at Hochien-fu, must remain there until the evacuation of Pekin by the allies is complete. Meanwhile, the evacuation will only be partial. The legation barracks will not be ready for occupation before autumm and the troops will be retained intil proof is forthcoming that the Chinese officials are capable of controlling Pekin.

The Chinese are not allowed to send an armed force against robbers and the foreign troops have ceased to patrol certain sections. The result is that the Chinese authorities are held responsible for any mis-deeds of the robber bands, while they are deprived of the power to execute orders. The administration of affairs in Pekin

difficult enough in ordinary times, but it is much more so now, with foreign troops present in every section. Many persons hink that the foreign administration should be continued until the evacuation has been effected in a practical way and Chinese soldiers or armed police have been established as guards within the city. An edict has been issued by the Court in regard to the mission of atonement of Prince Chun, the Emperor's brother, to Germany.

#### conclusion of the ceremonies NO YELLOW PEVER IN HAVANA. Quarantine May Be Removed on Passengers

He is ordered to visit Germany only and

to return to China immediately after the

Coming to Northern Ports. Special Cable Despatch to THE SUN. HAVANA, June 21 .- Dr. Glennon, Chief Surreon of the Marine Hospital Service, sent a cablegram to Surgeon-General Wyman at Washington to-day to the effect that owing o the entire absence of yellow fever in Havana it would be advisable to remove the quarantine regulations as against passengers going to the United States by way of northern ports who are not bound di-is rectly for the south. He places the southern of

boundary in Maryland. The municipality of Havana has decided o send to the Pan-American Exhibition at Buffalo two fine paintings which have been in the City Hall since 1878. One represents the Pilgrim fathers landing from the Mayflower and the other Cortez and the Spaniards landing at Vera Cruz

recognized the prisoner, whereupon there was a dramatic scene It is understood that the prisoner will be

#### released immediately. GEN. CAILLES'S SURRENDER. Music, Dancing and Services Next Monday to Celebrate It.

Special Cable Despatch to THE SUN.

From THE SUN Correspondent at Mantla. Manilla, June 21.—The insurgent Gen. Cailles has a force of eoo men quartered at Pagsanjan, Laguna province, and numerous small detachments are reported to be journeying to his rendezvous from the mountains. Gen. Sumner will go to Santa Cruz, capital of the provisce, to-morrow and await Cailles's formal surrender, which is to take place there next Monday. The ceremonies attending this event will resemble a festival. There will be music, dancing and church services and the town is to be gaily decorated. Many officers are to attend from the neighboring garrisons and from Manila.

## BRITISH GUNNERS' RECORD. Craiser Terrible's New Score 80 Per Cent.

of Hits in Practice. Special Cable Despatch to THE SUN.

From THE SUN Correspondent at Hong Kong. Hong Kong, June 21 -In the annual prizefiring competition of big naval guns to-day, the British first-class cruiser Terrible again beat the previous world's record, scoring 80 per cent. of hite.

#### ELLERMAN BUYS SHIPS. Leyland Line's Chairman Gets Two of the Johnson Liners.

Special Cable Despatch to THE SUN. LONDON, June 21 -- J. R. Ellerman, chairman of the Leyland Line, has bought two Johnson Line steamships.

#### Admiral Hoskins Dead. Special Cable Despatch to THE SUN. LONDON, June 21.-Admiral Sir Anthony

Hiley Hoskins, G. C. B., is dead. Admiral Hoskins entered the navy in 1842 and Admiral Hoskins entered the navy in 1842 and was made an Admiral in 1800, retiring in 1803. He served in the Kaffir war in 1852-53, in China in 1858, and in Exypt in 1892. He was Commodore commanding the Australian station from 1875 to 1870 and was Commander-in-Chief of the Mediterranean station from 1880 to 1891. He served three times as a Lord of the Admiralty, from 1850 to 1882, from 1885 to 1889 and from 1891 to 1893.

## Forgery Evidence Secured in London.

Special Cable Despatch to THE SUN. LONDON, June 21 Detective Brown of Washington, D. C., who has been investigating the forgery of tickets of the Washington Traction Company, will sail for the United states on the steamship Zeeland. He has obtained the plates from which the tickets were made and secured full evidence as to the identity of the persons now in custody in Washington. The tickets were innocently printed by a North British firm.

#### Mr. Hollis Goes to South Africa on June 30. Special Cable Despatch to THE SUN.

LONDON, June 21 -Mr. W. Stanley Hollis, United States Consul at Lorenzo Marques, Portuguese East Africa, who has been on a leave of absence, will sail for South Africa

Special Cable Despatch to THE SUN.

LONDON, June 21 .- Mr. Choate, the American Ambassador, who has been ill at his house

on Carlton terrace, was better to-day.

TO PROTECT RAILWAY LINES. British Building Blockhouses - Fewer Case of Train Wrecking.

Special Cable Despatch to THE SUN. Prom THE SUN Correspondent at Pretoria.
PRETORIA, June 21 — The increased securty of the lines of communication and the sence of serious breakages and interruptions of late have fully justified the building of blockhouses along the line of the railroad. On the few occasions when this was attempted before, the blockhouses came in very handy, as the inmates did excellent work in repelling would-be train wreckers. They were also very effective in keeping

the Boers away from the railway line. Isolated cases of train wrecking are still reported. The favorite spot for this work rigilance of the authorities and the erection of blockhouses in which garrisons are placed have also had a good effect in that quarter and very few breaks are now reported.

### Boer Peace Advocate a Prisoner.

Special Cable Despatch to THE SUN. LONDON, June 21 -A despatch to the Central News from Harrismith states that Commandant Piet Fourie, who advised that the doers surrender to the British, is now a prisoner with De Wet's troops. He was con-demned to be shot, but it is believed that the sentence has been commuted.

LET THE BONDSMAN OFF. Appellate Division Holds That McKennan Did All He Contracted to Do.

Judgments forfeiting two bonds of \$2,500 each given by Patrick McKennan for the appearance of George Clark and William Baker, charged with violation of the gambling laws, were cancelled by the Appellate Division of the Supreme Court yesterday. The men were arrested on Feb. 27 last on warrants of Justice Jerome. They demanded examination and the hearing was set for March 7. McKennan went on their bonds. On the morning of March 7, at the request of some one representing the defendants, the examinations were adjourned by Justice Jerome until March 21. McKennan appeared with his men on March 7 and after waiting until 3 o'clock, an hour after the hour fixed, without Justice Jerome appearing, he went away with the two men. McKennan did not know of the adjournment of the hearing. Neither he nor the arrested men appeared on March 21, and Justice Jerome directed that judgment be entered on the bonds and that proceedings be taken to collect.

The bonds did not specify the date at which men were arrested on Feb. 27 last on war-

The bonds did not specify the date at which the men were to be produced. They said the men were to appear at the examination, but taken in connection with the date first fixed for the hearing, the Appellate Division says that the bondsman did all he was required to do when he produced his men on March 7. The court says that if the parties to a case can adjourn a hearing from time to time without notification to a bondsman it would be impossible for him to tell when he became bondsman when his liability would terminate.

Justices Ingraham and Hatch dissented from the decision of the court holding that a bond stands for the production of the accused party on adjourned days and that it is not necessary to give bondsman notice of adjournments. The bonds did not specify the date at which

### WOULD ENJOIN SUBWAY.

Warden March Objects to Losing His Cellars Beneath the Sidewalk. The motion of Port Warden James E. March to enjoin the tunne'ling for the underground landing at Vera Cruz

Governor General Wood is ill of a slight attack of fever. It is not serious.

NOT ARTHUR BLATCH. MURDERER.

Witnesses Cannot Identify Charles Lilly White and He Will Be Released.

Special Cable Despatch to The Sun.

London, June 21—At Colchester to-day the police exhausted all their evidence in an attempt to identify Charles Lilly White, who was arrested at Wellington, New Zealand, on a charge of being Arthur Blatch, who murdered a tailor at Colchester in 1893.

White, who says he is a naturalized American citizen, was brought back here about a such interference could not be avoided. He construction and that such interference could not be avoided. He construction and that such interference could not be avoided. He oad before his premises on Marion street London, June 21—At Colchester to-day the police exhausted all their evidence in the police exhausted all their evidence in gup of the walls of the plaintiff was illowing who was arrested at Wellington, New Zealand, on a charge of being Arthur Blatch, who murdered a tailor at Colchester in 1893.

White, who says he is a naturalized American citizen, was brought back here about a week ago. The forty witnesses summoned by the police failed to identify hin as Blatch. Isaac Lilly White of Leeds, who the prisoner says is his brother, appeared in court and recognized the prisoner, whereupon there the plaintiff had any vault rights which had to be condemned. The use of the vaults is given by permit of the city which is revocable.

#### REGISTER HOWE'S SWAMP LAND. It Turns Out to Contain Valuable Deposits of Kaolin.

Good luck continues to pursue Register James R Howe of Brooklyn, who licked John Morrissey Gray so effectually at the John Morrissey Gray so effectually at the pells in 1890 and is spending \$50,000 of the fees of his office in the erection of an equestrian statue of George Washington for the adornment of Brooklyn.

Some years ago Mr. Howe, just to help out an old friend in financial straits, purchased from him over 400 acres of swamp lands together with a lake down in Florida. He never dreamed until recently that it was going to turn out a most profitable investment for him. He has discovered that the swamp lands and lake are rich in deposits of the sand from which "kaolin," which is used in the meanufacture of the finest quality of china, is made. Two companies, in each of which Mr. Howe is interested, have been formed to develop the deposits, and a large factory for utilizing the raw product is being constructed near Nint's street on the Gowanus Canal in Brooklyn. constructed near Nint's street on the Go-wanus Canal in Brooklyn.

## Arrivals at Newport.

NEWPORT, R. I., June 21 - The steam yacht board

Among the cottage arrivals to-day were
Dr and Mrs. J. J. Mason of New York: Mrs.
S. D. Schenck and Mr. and Mrs. William
Gammell. Mr. F. S. V. Hoppin of New York
is visiting friends here.

## I could not rise to my feet without fainting.

"I had suffered for three years or more at monthly periods," writes Miss Ella Sapp, of Jamestown, Guilford Co., N. C. "It seemed as though I would die with pains in my back and stomach. I could not rise to my feet at all

without fainting; had given up all hope of ever being cured, when one of my friends insisted upon my trying Dr. Pierce's Favorite Prescription. With but little faith I tried it, and before I had taken half a bottle I felt better, had better appetite and slept better. Now I have taken two bottles of 'Favorite Prescription' and one of 'Golden Medical Discovery,' and am happy to say I am entirely cured, and all done in two months' time when all other medicines had failed to do any good at all."

Dr. Pierce's Pleasant Pellets a pleasant and effective laxative for women

## PUPILSDOWNSCHOOL BOARD THREATENED TO STRIKE IF UNBARNED

DIPLOMAS WERE AWARDED. Board Acoused of Favoring Girls of Gradue Class Who Failed, but Had a Pull -Teachers Who Take a Hand Threatened With Dismissal -Later the Board Yields.

City School Superintendent Damarest of

Hoboken and Principal Talbot of the high

school of that city, with some members of the graduating class, threatened to strike

yesterday unless the names of five students

that had been added to the graduate list by the city School Board were taken from it. The board, at a secret meeting held at poon, decided to yield to the demand. The Hoboken High School graduating class numbered sixty young men and young women. Less than thirty of these showed high enough average to entitle them t diplomas. Principal Talbot certified the list to the School Board for approval. When it came back to him the names of five young women, who had received low averages had been added to it. Principal Talbot demanded the reason for the additions. H was told that it was the province of the board to make up the list, and that he must accept it as revised. He was advised too, that the city of Hoboken pays a good deal of money to support the school and that the larger the list of graduates the better pleased would the taxpayers be. To his contention that the board had not selected the names of

those who had come nearest the passing mark. he received no answer.

President Offerman of the School Board at a recent meeting charged that the "pull' of the five added graduates with one or the other of the School Board members had won them their piaces in the class. He ap-pealed to the board to restore the list to the shape in which it had been presented and the graduates who had won their positions by inerit joined in the protest, but all with-out avail.

the graduates who had won their positions by inerit joined in the protest, but all without avail.

A hurried meeting of the Alumni was called to consider the matter. It was argued that there was danger that the State school authorities might withhold from the city the high school's share of the State appropriation when they learned how the school was run, and they adopted resolutions demanding that the added names be taken off. But even that was ineffective. The merit graduates threatened to strike and create a scandal by absenting themselves from the commencement next week. Superintendent Demarest and Mr. Talbot then took the buil by the horns. Yesterday they served notice on the School Board that they would both refusa to sign their names to the graduates diplomas unless the list was restored to its original shape. They were net with threats of dismissal, but stood firm. Later in the day assurances were given them by enough of the Board memers to make the agreement effective, that the board will hold a special meeting to take the five names off the list.

Members of previous boards resent the insinuation that the practice of adding names to the merit list, as the result of "pull" is one of long standing. They insist that the Principal's list has always been ratified just as he has presented it.

## "FRENCHY" SOON TO BE PARDONED. He Says That When Released He Will Enter

some New York Museum.

PLATTSBURGH, N. Y., June 21.—After ten years' imprisonment, most of it spent in the insane asylum, Ben Ali, known to the prison authorities as George French, and convicted in New York in 1891, under the aliases of "Frenchy" and "Jack the Ripper," of the murder of "Old Shakespeare," has every prospect of a speedy release, District Attorney Philbin of New York, after a careful examination of the new evidence in his favor, having recommended his pardon to Gov. Odell.

To a representative of The Sun who saw "Frenchy" in the asylum for insane criminals at Dannemora to-day, and told him that his readen as a large and told him that his readen as a large and the prison pen, they exclaimed that he was their man. All then introduced themselves as victims of Cavanagh and his pais. Clerk E. M. Hoagland told how the quasi-valet had carried away a case of champavne from the Fifth Avenue Hotel in Mr. White's name.

"I asked him," said Hoagland, "why he did not have an order, and he replied that Mr. White is a little brusque, so I thought the man was all right."

Arthur J. Tomlinson, a clerk in the employ of Marcus & Co., jewellers at 544 Fifth avenue, confessed that on the strength of a telephone message, purporting to come from Mr. White, he had let Cavanagh have five ladies' watches valued at \$150. A hatter's man identified Cavanagh at the person who had swindled his firm out of two umbrellas in the same way.

Cavanagh admitted cheerfully that he

he knew nothing of the murder until after his arrest.

When talking on this subject he becomes greatly excited, and it is only at such times that he shows any indications of insanity. When he learned that Mr. Odell was a candidate for Governor, he says he prayed night and day for his election, iceling that his only hope for a pardon was through Mr. Odell's success at the polls. He recently wrote to the Governor, who not only answered the letter, but told him he would thoroughly investigate the case. He says that when released he will enter some New York museum, having aiready received offers to exhibit himself in two of the largest museums in the city. Later he will go to Arabia, where his father and mother are still living.

When first sent to Matteewan he was at times very ugly, and on one or two occasions assaulted other inmates of the institution, but for the past two years he has been very quiet and has caused the officers no trouble. He is 55 years of age, 5 feet 2 inches tall, and weighs 174 pounds, which is three pounds above his weight when he arrived at Dangerson.

his weight when he arrived at Dan

#### THIEVES STOLE AN EMPTY SAFE. Express Company Had Removed the Contents Before the Robbers Got It.

Tolepo, Chio, June 21 - What yesterday seemed to be a sensational robbery has been found to be simply the theft of an empty strong box from the Pacific Express Company on Wednesday night or early Thursday morning. Yesterday afternoon a report was received at the police headquarters that a man ceived at the ponce headquarters that a man had found an empty steel box or safe near Remmel's roadhouse between Toledo and Maumee. Beside the box was found a steel hammer such as is used in cutting steel rails and a number of empty coin sacks, together with a lot of envelopes and printed matter used in the express business. The local office of the company had received no report of any robbery.

office of the company had received no report of any robbery.

The top of the chest was almost ruined, having been hacked and battered before an opening sufficiently large had been made to nermit the removal of the contents. Agent Benedict of the Pacific Express Company says that the box had been received by his company in good condition and that the contents had been checked up and everything of value removed before it was stolen. The thieves stole a horse and road wagon from a private stable to haul their booty out of the city and left the rig hitched to a tree in the suburbs.

## THEY WERE FRUITLESS RAIDS. Police Couldn't Swear to Anything Useful, So

Dive Walters Go Free. Four waiters who were arrested a week ago when Inspector Kane and Capt. Gappon raided the Sharon and Billy's on Third avenue were to have a hearing in the Yorkville powere to have a hearing in the Yorkville police court yesterday on a charge of violating the excise laws, but they didn't Deouty Assistant District Attorney Connell, with a becoming blush on his youthful face, announced to Magistrate Mayo that he had examined the policemen appearing as witnesses in the cases and found that their evidence, as sometimes happened, was too vague to secure a conviction. For instance, he said, they would not even swear that the acts constituting the alleged offences had been committed after 1 A. M. Therefore he asked that the complaints be dismissed.

I like your frankness, and grant your re-"I like your frankness and grant your request," said Magistrate Mayo.

## THE STOCK IS CLARK'S. Prof. Treadwell's Action Against the Montana

Senator Is Dismissed. action of Prof. George H. Treadwell to recover 100 shares of stock of the United Verde Copper Company, now held by Senator William A. Clark, was dismissed by Justice MacLean of the Supreme Court yesterday. The plaintiff had pledged the stock in 1888, when it was worth \$10 a share, to secure an account with a coffee house in London, which ran up to about \$254. Treadwell found that the manager of the coffee house brought the stock to this country, and after passing through the hands of another person it was bought by Clark for \$7 a share. Treadwell has offered to pay his coffee house debt, but was unable to get his stock. He contended that Clark knew the stock had been pledged. Justice MacLean said that it was evident that Senator Clark had bought the stock is good faith it was alleged that the stock is now worth \$300 a share. William A. Clark, was dismissed by Justice



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THREE BOGUS STANFORD WIIITES.

#### Architect's Ex-Secretary and Two Pals Got Wine, Watches and Umbrellas in His Name

William H. Cavanagh, who played the so well that he got a case of wine out of Sherry's on Wednesday, was joined in the Yorkaccomplices, who were rounded up by De-tectives Macaulay and Burns. One of the prisoners, who gave the name Frank J. McQuade, was identified as a former private secretary of Mr. White and was naturally singled out by the police as the real instigator of a series of swindles, with which all three are now charged. The third prisoner said

he was John McDermitt. Cavanagh was arraigned alone yesterday morning in the Yorkville police court prison on a charge of larceny made against him by Thomas Lowrie, the steward of Sherry's. While the papers were being drawn up, several groups of men drifted into the court room and began to look around as if searching for somebody. As soon as they caught sight

no evidence against them. He was able to give the police a good description of them, however, and both were arrested on McQuade were found three of the watches obtained from Marcus & Co. and a pawn ticket for the two stelen umbrellas. The two prisoners were bustled before Magistants Mayo and held. A representative of Mr. White said that McQuade had been the archi-teet's private secretary till about two years. ago. After his discharge he ordered of worth of flowers in Mr. White's name but the fraud was discovered in time. Mr White

### DENIED BY JORDAN L. MCTT. CD. says the Report That He Has Been Disinherited

Because of His Marriage Is Untrue. SOUTH BRAINTREE, Mass., June 21 .- Jordan L. Mott, 3d, of New York who, on April 29, secretly married Miss Caroline Pitkin, the daughter of his tutor, has been moved to ndignation by an article in a New York weekly paper purporting to give the sequel to his marriage to the girl of his choice. The paragraph said that Mr. and Mrs. Jordan . Mott, Sr., had disinherited and disowned their son on account of his marrying a professor's daughter and that they had sailed for Europe determined to have no further

for Europe determined to have no further communication with him.
Young Mott, who is 20, and a fine, athletic-looking fellow, was seen at the residence of his father-in-law. Prof. Charles A Pitkin, where he has been living since last fall. Mr. Mott said:
"There is not a single word of truth in the story. My parents have never for a moment since my marriage thought of disinheriting me or disowning me. Such a thing was not hinted at even in the first communications I had from them upon their learning of the marriage.

had from them upon their learning of the marriage.

"My parents were in Boston only last Tuesday, the day before they sailed for Europe, and my wife and I, together with my wife's parents, dined with them. My future was talked over in the most amicable way and both my wife and myself were urged to join them in Europe for a summer tour, a little later; but, as my studies would render it impossible for us to be abroad more than a couple of months, we concluded it was hardly worth while to go at present.

"My examination for admission to Barvard to my swithin a few days and we all agreed it would be better to wait until after my graduation from the university, providing I pass the examination, and then take a foreign trip under conditions that will enable my wife and myself to get more enjoyment from it than we could were we to go now."

As soon as his examination is over Mr. Mott and his bride will start for a vacation in Maine.

## n Maine.

Bankruptcy Doesn't Affect Alimony. The appeal of Emil Malsner from an order of the lower court adjudging him in contempt for not paying alimony to Ray Maisner, who obtained a divorce from him on Aug. 10, 189%, was dismissed by the Appellate Division of the Supreme Court yesterday. Maisner relied on a discharge in bankruptey, which he ob-tained on May I last. The Court says that the authorities agree that accruing alimony is not extinguished by a discharge in bank-ruptey.

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